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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,492	02/01/2000	Charles Albin Hanson	UN16-B157/04M1093	4935

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EXAMINER

ROBINSON, GRETA LEE

ART UNIT PAPER NUMBER

2177

DATE MAILED: 07/18/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/495,492

Applicant(s)

HANSON ET AL.

Examiner

Greta L. Robinson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 12 May 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-28 are pending in the present application.
2. Claims 13, 14, 27 and 28 have been amended.
3. Swanson, Hogan et al. and Tsukahara et al. were cited as prior art in the last office action paper number 10; the rejection is respectfully maintained..

***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “a plurality of selectable regions” [note claims 1, and 25] must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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*Specification*

5. The amendment filed May 12, 2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: **“screen areas, or “regions”, that correspond to”** see page 2 paragraph four of the response filed May 12, 2003 [note: this amendment was made at page 9 lines 7-9 of the original disclosure].

Applicant is required to cancel the new matter in the reply to this Office Action.

*Claim Rejections - 35 USC § 112*

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-28 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following limitation is not adequately described in the disclosure a “special device”  
[note: independent claims 1, 13, 23, 25 and 27; figure 1 element 113 “special device hardware

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I/O"; and figure 23 element 113 special device]. The description of what a special device is stated on page 6 lines 18-22 and on page 9 lines 16-17 are different, also reference to the special device in figure 1 (element 113) and figure 23 (element 113) do not correspond. Note page 6 lines 18-22 reads as follows:

"The hardware **interface 113** may be, for example a conventional touch screen and **stylus of a palm-held device**, which displays graphics and enables function selection by touching various icons and other indica on the screen".

While page 9 lines 15-18 states the following:

"The command sent to the appropriate remote servers by the ActiveX control on the **client (special device)** is of a type which requests a number of records based on the available storage in the special device."

Applicant does not appear to describe the following limitation in the disclosure "at least a portion of the contents of said first of the data objects together with a display of a plurality of selectable regions, each of said regions representing a respective method executable on said first data object" [note claims 1-12 and 25]. There is no mention of regions in the specification and this limitation is not depicted in the drawings. [Note: Applicant's amendment filed May 12, 2003 inserting the limitation referencing "regions" is new matter].

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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9. Claims 1-12, 25 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-28, the following limitation is vague and unclear: "*special device*" [see claim 1 line 3, 7, and 12-13; also note claim 25 line 8 and 14].

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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11. Claims 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson US Patent 5,603,034 in view of Tsukahara et al. US Patent 6,169,991 and Hogan et al. US Patent 5,414,809.

Regarding claim 23, Swanson teaches “means for executing a sequence of transactions upon said display screen via visual point and touch interaction with said screen, each transaction of said sequence being based on the result of execution of a previous transaction and wherein at least one of said transactions is executed upon data stored across a plurality of remote storage locations [figure 9; Swanson teaches a graphical resource editor for selectively modifying graphical resources in software applications. The system permits user selection of a resource category object. A list of selectable resource category objects is taught. The graphical resource editor further includes a system responsive to user activation of the resource category selection object for generating a list of resource descriptors corresponding to the selected category. The software system may be customized to perform functions statically or dynamically while the application is running note abstract]. Although Swanson teaches the invention as cited above, they do not teach a special device having a display screen. Tsukahara teaches a client device with a display screen [note (98) figure 18]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Tsukahara with Swanson because Tsukahara provides an alternate method of communicating with the network. Swanson and Tsukahara are silent as to a touch interaction with the screen. Swanson teaches a point and click operation. Hogan et al.

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teaches a touch screen method [ see col. 3 lines 21 -32]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Hogan et al with Swanson because Hogan et al. depicts how alternate well known keyboarding methods may be implemented.

12. Regarding claim 24: wherein one of said transactions comprises user selection of a data object category, selection of such category resulting in display of a list of available data objects [Swanson abstract].

13. Regarding claim 26: wherein said user selection is achieved by a point and touch operation executed on the graphical interface display [Hogan col. 3 lines 21 -32].

#### ***Response to Arguments***

14. In the response Applicant argued the following:

(1) the amendment to the specification does not introduce new matter.

In response, the examiner respectfully disagrees. The notation of selectable areas and/or selectable areas equating to “regions” was not a part of the original disclosure. Also note the disclosure does not adequately define the “special device”, note rejection under 35 USC 112 first paragraph supra.



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(1) Swanson does not teach claims 23, 24 and 25. The claims includes means for executing a sequence of transactions on data. Swanson does not teach executing transactions upon data.

Swanson teaches "a user activatable interface" for selecting among a list of category objects. The system is responsive to the user activation for generating a list of resource descriptors (column 3 lines 59-66). Swanson teaches a customizable X Window System that affects an applications behavior (column 6 lines 40-46). Therefore Swanson does teach executing transactions upon data.

15. Applicant's arguments filed May 12, 2003 have been fully considered but they are not persuasive.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta Robinson whose telephone number is (703)308-7565. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached at (703)305-9790.


Hand delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-9600.

Greta Robinson

Primary Examiner

July 17, 2003



**GRETA ROBINSON  
PRIMARY EXAMINER**